

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED

DOC#: \_\_\_\_\_

DATE FILED: May 27, 2021

_____	:	
HEDGEYE RISK MANAGEMENT, LLC,	:	
	:	No. 1:21-cv-03687-ALC
Plaintiff,	:	Judge Andrew L. Carter, Jr.
v.	:	
	:	
DARIUS DALE,	:	
	:	
Defendant.	:	
_____	:	

**JOINT STIPULATION**

Pursuant to the Court's ruling on May 24, 2021, Plaintiff Hedgeye Risk Management, LLC ("Hedgeye") and Defendant Darius Dale do hereby stipulate as follows:

1. On or before noon on June 1, 2021, Mr. Dale shall deliver to Hedgeye counsel all versions of all source files Mr. Dale has accessed or used since March 28, 2021 to generate or otherwise prepare any of his "Leadoff Morning Note," "Around the Horn," and "Macro Scouting Report" products.
2. On or before June 1, 2021, Mr. Dale shall file with the Court a declaration under penalty of perjury certifying that he has provided to counsel all versions of all source files Dale

has accessed or used since March 28, 2021 to generate or otherwise prepare any of his “Leadoff Morning Note,” “Around the Horn,” and “Macro Scouting Report” products.

3. Mr. Dale shall have until June 1, 2021 to respond to the Complaint.

4. On or before June 4, 2021, the parties shall conduct their discovery conference pursuant to Federal Rule of Civil Procedure 26(f).

5. Mr. Dale shall appear for a deposition on June 15, 2021 at 10 a.m. Eastern. The deposition shall be conducted remotely and shall not exceed 7 hours on the record.

Dated:

/s/ Eric A. Prager

Eric A. Prager  
Thomas E. Wallerstein  
VENABLE LLP  
1270 Avenue of the Americas  
New York, NY 10020  
Tel.: 212-307-5500  
[EAPrager@Venable.com](mailto:EAPrager@Venable.com)  
[TWallerstein@Venable.com](mailto:TWallerstein@Venable.com)

*Attorneys for Plaintiff  
Hedgeye Risk Management, LLC*

Dated:

/s/ Michelle N. Holmes

Michelle N. Holmes  
49 Leavenworth Street, Suite 200  
Waterbury, CT 06702  
Tel: 203-596-1091  
[michelle@mholfmeslaw.com](mailto:michelle@mholfmeslaw.com)

*Attorney for Defendant Darius Dale*

**IT IS SO ORDERED.**

Dated: May 27, 2021



Honorable Andrew L. Carter, Jr.  
United States District Judge